

Board of Vocational Nursing and Psychiatric Technicians

DISCIPLINARY GUIDELINES

Revised January 1, 2000
(Regulations Effective July 1, 2000)

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INTRODUCTION

To facilitate uniformity of penalties and to ensure that its disciplinary policies are known, the Board of Vocational Nursing and Psychiatric Technicians establishes these Disciplinary Guidelines. While recognizing the concept that administrative law judges must be free to exercise their discretion in such cases, the Board requests that these guidelines be followed to the extent possible and that any departures therefrom be noted and explained in the Proposed Decision.

The Board requests that matters in extenuation and mitigation, as well as those in aggravation, be fully considered and noted in the Proposed Decision. Of primary importance is the effect the respondent's conduct had or can have on the health, safety and welfare of California consumers.

REGULATORY AUTHORITY

California Code of Regulations, Title 16 **Section 2524 & Section 2579.10**

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.) the Board shall consider the disciplinary guidelines entitled “Disciplinary Guidelines”, (Rev. 1/1/2000), which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board, in its sole discretion, determines that the facts of the particular case warrant such a deviation - for example, the presence of mitigating factors; the age of the case; evidentiary problems.

FACTORS TO BE CONSIDERED

In determining whether revocation, suspension or probation should be imposed in a given disciplinary action, the following factors should be considered:

- *Nature and severity of the act(s), offenses, or crimes under consideration.*
- *Actual or potential harm to the public.*
- *Actual or potential harm to any patient.*
- *Prior disciplinary record.*
- *Prior warnings on record or prior remediation.*
- *Number and/or variety of current violations.*
- *Mitigation evidence.*
- *Rehabilitation evidence.*
- *In case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.*
- *Overall criminal record.*
- *Time passed since the acts or offenses occurred.*
- *If applicable, evidence of expungement proceedings pursuant to Penal Code Section 1203.4.*

SUMMARY LIST OF THE STANDARD & OPTIONAL TERMS OF PROBATION

Standard Terms of Probation (1-12)

- 1. Obey All Laws*
- 2. Compliance With Probation Program and Quarterly Report Requirements*
- 3. Notification of Address and Telephone Number Change*
- 4. Notification of Residency or Practice Outside of State*
- 5. Notification to Employer(s)*
- 6. Interview/Meetings With Board Representative(s)*
- 7. Employment Requirements and Limitations*
- 8. Supervision Requirements*
- 9. Completion of Educational Course(s)*
- 10. Maintenance of Valid License*
- 11. Cost Recovery Requirements*
- 12. Violation of Probation*

Optional Terms of Probation (13-22)

- *Any of the optional terms may be included if relevant to the violation.*
- *If the offense involves alcohol and/or drug abuse, Terms #13-#20 are usually required (in addition to the Standard Terms #1-#12).*
- *If the respondent's license has been or will have been expired for over four (4) years by the time a decision is rendered, the Respondent shall be required to take and pass the licensure examination (Term #21).*
- *If the cases involves mental illness, Terms #13-#15 are recommended.*

13. Examination By a Physician

14. Psychological Evaluation

15. Psychotherapy

16. Rehabilitation Program

17. Chemical Dependency Support & Recovery Groups

18. Abstain from Controlled Substances

19. Abstain from Use of Alcohol

20. Submit Biological Fluid Samples

21. Take and Pass Licensure Examination

22. Restrictions on Licensed Practice

STANDARD TERMS AND CONDITIONS OF PROBATION [1-12]

1. OBEY ALL LAWS

Respondent shall obey all federal, state and local laws, including all statutes and regulations governing the license. Respondent shall submit, in writing, a full and detailed account of any and all violations of the law to the Board within five (5) days of occurrence. To ensure compliance with this term, respondent shall submit two (2) completed fingerprint cards and the applicable fingerprint processing fees to the Board within thirty (30) days of the effective date of the decision, unless the Board determines that fingerprint cards were already submitted by the Respondent as part of his/her licensure application process effective July 1, 1996. Respondent shall also submit a recent 2" x 2" photograph of himself/herself within thirty (30) days of the effective date of the decision.

2. COMPLIANCE WITH PROBATION PROGRAM AND QUARTERLY REPORT REQUIREMENTS

Respondent shall fully comply with terms and conditions of the probation established by the Board and shall cooperate with the representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Probation Program.

Respondent shall submit quarterly reports, under penalty of perjury, in a form required by the Board. The reports shall certify and document compliance with all the conditions of probation.

3. NOTIFICATION OF ADDRESS AND TELEPHONE NUMBER CHANGE(S)

Respondent shall notify the Board, in writing, within five (5) days of a change of residence or mailing address, of his/her new address and any change in his/her work and/or home telephone numbers.

4. NOTIFICATION OF RESIDENCY OR PRACTICE OUTSIDE OF STATE

Respondent shall notify the Board, in writing, within five (5) days, if he/she leaves California to reside or practice in another state.

Respondent shall notify the Board, in writing, within five (5) days, upon his/her return to California.

The period of probation shall not run during the time Respondent is residing or practicing outside California.

5. NOTIFICATION TO EMPLOYER(S)

When currently employed or applying for employment in any capacity in any health care profession, Respondent shall notify his/her employer of the probationary status of Respondent's license. This notification to the Respondent's current health care employer shall occur no later than the effective date of the Decision. The respondent shall notify any prospective health care employer of his/her probationary status with the Board prior to accepting such employment. This notification shall be by providing the employer or prospective employer with a copy of the Board's Accusation and Disciplinary Decision.

The Health Care Profession includes, but is not limited to: Licensed Vocational Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary technical health care positions.

Respondent shall cause each health care employer to submit quarterly reports to the Board. The reports shall be on a form provided by the Board, shall include a performance evaluation and such other information as may be required by the Board.

Respondent shall notify the Board, in writing, within five (5) days of any change in employment status. Respondent shall notify the Board, in writing, if he/she is terminated from any nursing or health care related employment with a full explanation of the circumstances surrounding the termination.

6. INTERVIEWS/MEETINGS WITH BOARD REPRESENTATIVE(S)

Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board, or its designated representatives.

7. EMPLOYMENT REQUIREMENTS AND LIMITATIONS

During probation, the Respondent shall work in his/her licensed capacity in the State of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

While on probation, Respondent shall not work for a nurses' registry or in any private duty position, a temporary nurse placement agency, as a faculty member in an accredited or approved school of nursing, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in a float capacity except as approved, in writing, by the Board.

8. SUPERVISION REQUIREMENTS

Respondent shall obtain prior approval from the Board, before commencing any employment, regarding the level of supervision provided to the respondent while employed as a licensed vocational nurse or psychiatric technician.

Respondent shall not function as a charge nurse (i.e., work in any healthcare setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians, certified nursing assistants or unlicensed assistive personnel) or supervising psychiatric technician during the period of probation except as approved, in writing, by the Board.

9. COMPLETION OF EDUCATIONAL COURSE(S)

Respondent, at his or her own expense, shall enroll and successfully complete a course(s) substantially related to the violation(s) no later than the end of the first year of probation; or the Respondent shall be suspended from practice, until he or she has enrolled in and has successfully completed the specified coursework.

The coursework shall be in addition to that required for license renewal. The Board shall notify the Respondent of the course content and number of contact hours required. Within thirty (30) days of the Board's written notification of assigned coursework, Respondent shall submit a written plan to comply with this requirement. The Board shall approve such plan prior to enrollment in any course of study.

Upon successful completion of the course, Respondent shall cause the instructor to furnish proof to the Board within thirty (30) days of course completion.

10. MAINTENANCE OF VALID LICENSE

Respondent shall, at all times while on probation, maintain an active current license with the Board, including any period during which suspension or probation is tolled.

Should respondent's license, by operation of law or otherwise, expire, upon renewal or reinstatement respondent's license shall be subject to any and all terms of this probation not previously satisfied.

11. COST RECOVERY REQUIREMENTS

Where an order for recovery of costs is made, the Respondent shall make timely payment as directed in the Board's Decision pursuant to Business and Professions Code Section 125.3. Failure to make payments in accordance with any formal agreement entered into with the Board or pursuant to any Decision by the Board shall be considered a violation of probation.

The Board may conditionally renew or reinstate, for a maximum of one year, the license of any respondent who demonstrates financial hardship. The Respondent shall enter into a formal agreement with the Board to reimburse the unpaid costs within that one year period.

Except as provided above, the Board shall not renew or reinstate the license of any Respondent who has failed to pay all the costs as directed in a Decision.

12. VIOLATION OF PROBATION

If the Respondent violates the conditions of his/her probation, the Board after giving the Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the Respondent's license. If during the period of probation, an accusation or petition to revoke has been filed against the Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board. Upon successful completion of probation, the Respondent's license will be fully restored.

OPTIONAL TERMS AND CONDITIONS OF PROBATION [13-22]

13. EXAMINATION BY A PHYSICIAN

Within sixty (60) days of the effective date of the Decision, Respondent shall submit to a physical examination by a physician of his/her choice who meets minimum criteria established by the Board. The physician must be licensed in California and Board certified in Family Practice, Internal Medicine or a related specialty. The purpose of this examination shall be to determine Respondent's ability to perform all professional duties with safety to self and to the public. Respondent shall provide the examining physician with a copy of the Board's Disciplinary Order prior to the examination. Cost of such examination shall be paid by the Respondent.

Respondent shall cause the physician to complete a written medical report on a form provided by the Board. This report shall be submitted by the physician to the Board within ninety (90) days of the effective date of the Decision. If the examining physician finds that Respondent is not physically fit to practice or can only practice with restrictions, the examining physician shall notify the Board, in writing, within five (5) working days. The Board shall notify the respondent in writing of the examining physician's determination of unfitness to practice and shall order the respondent to cease or restrict licensed activities as a condition of probation. Respondent shall comply with this condition until the Board is satisfied of respondent's fitness to practice safely and has so notified the respondent. Respondent shall document compliance in the manner required by the Board.

14. PSYCHOLOGICAL EVALUATION

Within sixty (60) days of the effective date of the Decision, Respondent shall submit to a psychiatric/psychological evaluation. The evaluation shall be performed by a psychiatrist licensed in California and Board certified in psychiatry, or by a clinical psychologist licensed in California. This evaluation shall be for the purpose of determining Respondent's current mental, psychological and emotional fitness to perform all professional duties with safety to self and to the public. Respondent shall provide the evaluator with a copy of the Board's Disciplinary Order prior to the evaluation. Cost of such evaluation shall be paid by the Respondent.

Respondent shall cause the evaluator to submit to the Board a written psychological report concerning Respondent's status and progress as well as such other information as may be requested by the Board. This report shall be submitted within ninety (90) days from the effective date of the Decision.

If the evaluator finds that Respondent is not psychologically fit to practice safely, or can only practice with restrictions, the evaluator shall notify the Board, in writing, within five (5) working days. The Board shall notify the respondent in writing of the evaluator's determination of unfitness to practice and shall order the respondent to cease or restrict licensed activities as a condition of probation. Respondent shall comply with this condition until the Board is satisfied of respondent's fitness to practice safely and has so notified the respondent. Respondent shall document compliance in the manner required by the Board.

If the evaluator finds that psychotherapy is required, Respondent shall participate in a therapeutic program at the Board's discretion. Cost of such therapy shall be paid by the Respondent.

15. PSYCHOTHERAPY

Within sixty (60) days of the effective date of the Decision, Respondent shall submit to the Board the name of one or more proposed therapists for prior approval. Respondent shall participate in ongoing psychotherapy with a California licensed or legally registered mental health professional who has been approved by the Board. Upon approval by the Board, Respondent shall commence psychotherapy. Respondent shall provide the therapist with a copy of the Board's Disciplinary Order no later than the first counseling session. Counseling shall be at least once a week unless otherwise determined by the Board. Respondent shall continue in such therapy at the Board's discretion. Cost of such therapy shall be paid by the Respondent.

Respondent shall cause the therapist to submit to the Board a written report concerning Respondent's psychotherapy status and progress as well as such other information as may be requested by the Board. The initial psychotherapy report shall be submitted within ninety (90) days from the effective date of the Decision. Respondent shall cause the therapist to submit quarterly written reports to the Board concerning Respondent's fitness to practice, progress in treatment and to provide such other information as may be required by the Board.

If the therapist finds that Respondent is not psychologically fit to practice safely, or can only practice with restrictions, the therapist shall notify the Board, in writing, within five (5) working days. The Board shall notify the respondent in writing of the therapist's determination of unfitness to practice and shall order the

respondent to cease or restrict licensed activities as a condition of probation. Respondent shall comply with this condition until the Board is satisfied of respondent's fitness to practice safely and has so notified the respondent. Respondent shall document compliance with this condition in the manner required by the Board.

16. REHABILITATION PROGRAM

Within thirty (30) days of the effective date of the Decision, Respondent shall enter a rehabilitation and monitoring program specified by the Board. Respondent shall successfully complete such treatment contract as may be recommended by the program and approved by the Board.

Components of the treatment contract shall be relevant to the violation and to the respondent's current status in recovery or rehabilitation. The components may include, but are not limited to: restrictions on practice and work setting, random bodily fluid testing, abstention from drugs and alcohol, use of work site monitors, participation in chemical dependency rehabilitation programs or groups, psychotherapy, counseling, psychiatric evaluations and other appropriate rehabilitation or monitoring programs. The cost for participation in this program shall be paid by the Respondent.

17. CHEMICAL DEPENDENCY SUPPORT/RECOVERY GROUPS

Within five (5) days of the effective date of the Decision, Respondent shall begin attendance at a chemical dependency support group (e.g. Alcoholics Anonymous, Narcotics Anonymous, Nurse Support Group). Verified documentation of attendance shall be submitted by the Respondent with each quarterly report. Respondent shall continue attendance in such a group for the duration of probation.

18. ABSTAIN FROM CONTROLLED SUBSTANCES

Respondent shall completely abstain from the personal use or possession of controlled substances, as defined in the California Uniform Controlled Substances Act, and dangerous drugs as defined in Section 4021 and 4022 of the Business and Professions Code, except when lawfully prescribed by a licensed practitioner for a bona fide illness.

19. ABSTAIN FROM USE OF ALCOHOL

Respondent shall completely abstain from the use of alcoholic beverages during the period of probation.

20. SUBMIT BIOLOGICAL FLUID SAMPLES

Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or its designee. There will be no confidentiality in test results; positive test results will be immediately reported to the Board and the Respondent's current employer.

21. TAKE AND PASS LICENSURE EXAMINATION

Respondent shall take and pass the licensure exam currently required of new applicants for the license possessed by respondent. Respondent shall pay the established examination fees.

As a condition for reinstatement of a license, Respondent shall take and pass the licensure exam currently required of new applicants to resuming practice. Respondent shall pay the established examination and licensing fees.

All standard terms or any other terms of probation shall be tolled until the Respondent has successfully passed the licensure examination and notice of licensure has been mailed to the Respondent by the Board. The Respondent's failure to pass the licensure examination within two (2) years shall be considered a violation of his/her probationary status.

22. RESTRICTIONS ON LICENSED PRACTICE

Respondent shall practice only with a specified client population, in a specified practice setting, or engage in limited medical procedures. These restrictions shall be specifically defined in the Decision and be appropriate to the violation. Respondent shall be required to document compliance in the manner required by the Board.

(1/1/00)

BVNPT: VIOLATIONS & RECOMMENDED DISCIPLINARY ACTIONS (Revised January 1, 2000)

| Disciplinary Violations | VN Program B&P Code | PT Program B&P Code | Maximum Penalty | Intermediate Penalty | Minimum Penalty |
|--|------------------------|------------------------|---------------------------------------|--|--|
| 1. Unprofessional Conduct | 2878(a) | 4521(a) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 2. Incompetence and/or Gross Negligence | 2878(a)(1) | 4521(a)(1) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 3. Conviction of Practicing Medicine | 2878(a)(2) | 4521(a)(2) | Revocation | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 |
| 4. False or Misleading Advertising | 2878(a)(3) | 4521(a)(3) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 5. Excessive Force, Mistreatment or Abuse of Any Patient | 2878(a)(4) | 4521(i) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 * Restricted Practice #22 *Other Terms added based upon underlying cause of discipline |
| 6. Failure to Maintain Confidentiality of Patient Medical Information | 2878(a)(5) | 4521(k) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 7. Procuring a License by Fraud or Misrepresentation | 2878(b) | 4521(b) | --- | --- | Revocation |
| 8. Assisting With Criminal Abortion | 2878(c) | 4521(c) | Revocation | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 |
| 9. Violating Terms of Licensing Chapter | 2878(d) | 4521(d) | Revocation | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline |
| 10. Making False Statement on Application for Initial License | 2878(e) | 4521(e) | Revocation or Denial of License | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline |

BVNPT: VIOLATIONS & RECOMMENDED DISCIPLINARY ACTIONS (Revised January 1, 2000)

| Disciplinary Violations | VN Program B&P Code | PT Program B&P Code | Maximum Penalty | Intermediate Penalty | Minimum Penalty |
|---|------------------------|------------------------|---------------------------------|---|---|
| 11. CONVICTION Substantially Related to Functions of License (Non-Drug Related) | 2878(f) | 4521(f) | Revocation or Denial of License | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline |
| 12. Impersonating or Acting as Proxy for Applicant on Exams | 2878(g) | 4521(g) | --- | --- | Revocation or Denial of License |
| 13. Impersonating a Licensee or Permitting Others to Use License | 2878(h) | 4521(h) | Revocation or Denial of License | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline |
| 14. Assisting Physician to Violate Medical Practice Act | 2878(i) | 4521(j) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 15. Commission of Any Act Involving Dishonesty | 2878(j) | 4521(m) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 16. Sexual Misconduct Related to Practice | 2878(k) | 4521(l) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 17. Knowing Failure to Follow Infection Control Guidelines | 2878(l) | 4521(n) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Restricted Practice #22 | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 18. Illegal Possession, Prescribing, Self-Administration of Controlled Substances or Dangerous Drugs | 2878.5(a) | 4521(a)(4) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Other Terms added based upon underlying cause of discipline |

BVNPT: VIOLATIONS & RECOMMENDED DISCIPLINARY ACTIONS (Revised January 1, 2000)

| Disciplinary Violations | VN Program B&P Code | PT Program B&P Code | Maximum Penalty | Intermediate Penalty | Minimum Penalty |
|---|------------------------|------------------------|--------------------|---|--|
| 19. Illegal Use of Drugs/Alcohol Posing Danger to Public & Impairs Ability to Practice | 2878.5(b) | 4521(a)(5) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 Exam by Physician #13 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 Restricted Practice #22 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Other Terms added based upon underlying cause of discipline |
| 20. CONVICTION of Drug or Alcohol Related Crimes | 2878.5(c) | 4521(a)(6) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 Restricted Practice #22 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Other Terms added based upon underlying cause of discipline |
| 21. Confinement or Committal for Addiction | 2878.5(d) | 4521(a)(7) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 Exam by Physician #13 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Psychological Evaluation #14 *Psychotherapy #15 *Drug/Alcohol Rehab. #16 *Restricted Practice #22 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 Support/Recovery Groups #17 Abstain from Drugs #18 Abstain from Alcohol #19 Drug Screens #20 *Other Terms added based upon underlying cause of discipline |

BVNPT: VIOLATIONS & RECOMMENDED DISCIPLINARY ACTIONS (Revised January 1, 2000)

| Disciplinary Violations | VN Program B&P Code | PT Program B&P Code | Maximum Penalty | Intermediate Penalty | Minimum Penalty |
|--|---|---|--------------------|--|---|
| 22. Falsify, Make Incorrect, Inconsistent or Unintelligible Entries Pertaining to Drugs | 2878.5(e) | 4521(a)(8) | --- | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 Drug Screens #20 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 23. Disciplinary Action by Another State, Agency or Licensing Board | 2878.8 | 4521.6(a) | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline. | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 |
| 24. Failure to Report Child, Elder or Dependent Adult Abuse (Unprofessional Conduct) | 2878(a) CCR 16 2520.1 2520.2 2520.3 | 4521(a) CCR 16 2577.2 2577.3 2577.4 | Revocation | Revoc.Stayed: 3 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline | Revoc.Stayed: 2 Years Probation Standard Terms 1-12 *Other Terms added based upon underlying cause of discipline |

Important Notes:

The Board recognizes that these penalties and conditions of probation are guidelines, and that each disciplinary case must be assessed individually. If individual circumstances exist which justify omissions or deviations from these guidelines, the Board requests that this information be duly noted in the Proposed Decision issued by the Administrative Law Judge hearing the case. This will help the Board to better evaluate the Proposed Decision and to make an official Decision which accurately reflects the facts of each specific disciplinary matter.

* = Optional Terms may be added based upon the underlying cause of discipline.

(1/1/00)